



FILED
DISTRICT COURT OF GUAM

JUN - 7 2005

MARY L.M. MORAN
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**IN THE DISTRICT COURT OF GUAM
TERRITORY OF GUAM**

LOURDES P. AGUON-SCHULTE,)
Plaintiff,)
vs.) (removed from the Superior Court of Guam
THE GUAM ELECTION COMMISSION,) Civil Case No. CV-1103-04
et al.)
Defendants.)

JAY MERRILL, etc., et al.)
Plaintiff,) Civil Case No. 04-00046
vs.) (removed from the Superior Court of Guam
THE GUAM ELECTION COMMISSION,) Civil Case No. CV-1111-04
et al.)
Defendants.)

NOTICE OF APPEAL

PLEASE TAKE NOTICE that the Attorney General of Guam hereby files Notice of Appeal to the United States Court of Appeals for the Ninth Circuit from the Order of the District Court, Territory of Guam, dated May 10, 2005, David O. Carter, United Sates District Judge

presiding, adopting in full the Findings and Recommendations of the Magistrate Judge dated and filed March 16, 2005.*

Respectfully submitted this 7th day of June, 2005.

OFFICE OF THE ATTORNEY GENERAL
Douglas B. Moylan, Attorney General


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* The district court's Order adopting the magistrate judge's recommendations and findings erroneously refers to the date of filing of the recommendations as March 15, 2005.

CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel for the opposing party(ies) with a copy of the foregoing by first class mail, postage prepaid, or by hand delivery to:

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this 7th day of June, 2005.



Robert M. Weinberg
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